

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: John Cooper	DECLARATION OF JOHN COOPER IN SUPPORT OF RENEWED PETITION UNDER 37 CFR 1.137(b)
Application No.: 10690785	
Title: Apparatus and Methods for Removing Mercury from Fluid Streams	
Application Filing Date: 10/21/03	
Examiner: DUONG, THANH P	
Art Unit: 1764	
Confirmation No.: 5612	

Mail Stop PETITION

Commissioner for Patents

P.O. Box 1450

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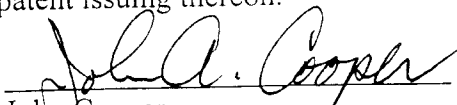
Dear Sir/Madam:

1. My name is John Cooper. I am over 18 years of age, and I have personal knowledge of the facts and events as stated below.
2. I am currently the president of Cooper Environmental Services, LLC (CES), the assignee of the application identified above (the '785 Application), and I have been president of CES since the '785 Application was filed. I am also an inventor of the subject matter claimed in the '785 Application. CES has been the assignee of the entire interest in the '785 Application since the application was filed, and CES has had the right to control prosecution of the '785 Application during that time. Thus, CES would have been the party having the right to reply to avoid abandonment of the '785 Application on January 6, 2005.
3. I would have been the contact person at CES that CES's patent attorney, Glenn Brown, would have contacted about issues dealing with the '785 Application. I do not recall Mr. Brown informing me at any time that the '785 Application was going to be abandoned, or that it had been abandoned. On information and belief, Mr. Brown did not inform myself

or anyone at CES that the '785 Application was going to be abandoned, or that it had been abandoned. I was not aware that the '785 Application had gone abandoned until February 2008, after CES retained new patent counsel. On information and belief, no one at CES was aware that the '785 Application had gone abandoned until February 2008.

4. After learning in February 2008 that the '785 Application had been ruled abandoned by the U.S. Patent and Trademark Office, CES proceeded to file a petition to revive the '785 Application as soon as possible. On information and belief, that petition was mailed on March 4, 2008.
5. Neither I nor CES has ever had any intention to abandon the '785 Application.
6. Neither I nor CES has ever had any intention to delay the revival of the '785 Application.
7. It does not appear that CES will be able to obtain a declaration from Mr. Brown on this matter. This is because it is my understanding that Mr. Brown has been suspended from the practice of law in the state of Oregon, and that Mr. Brown is the subject of an ongoing ethics investigation related to his inaction with regard to his client matters.
8. I declare that the above statements made on personal knowledge are true, that all statements made on information and belief are believed to be true, and that the above statements are made with knowledge that making willful, false statements or the like is punishable by fine, imprisonment, or both under 18 U.S.C. § 1001 and may jeopardize the validity of the application or any patent issuing thereon.

Date: 10-21-08


John Cooper